

# REPORT OF THE COMMITTEE ON ZONING AND PLANNING

## Voting Members:

Ikaika Anderson, Chair; Breene Harimoto, Vice-Chair;  
Ann H. Kobayashi, Ron Menor, Kymberly Marcos Pine

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Committee Meeting Held  
November 1, 2013

Honorable Ernest Y. Martin  
Chair, City Council  
City and County of Honolulu

Mr. Chair:

Your Committee on Zoning and Planning, to which was referred Bill 61 (2013) entitled:

"A BILL FOR AN ORDINANCE RELATING TO SIGNS,"

transmitted by Departmental Communication No. 650 dated September 13, 2013, and which passed First Reading at the October 9, 2013 Council meeting, reports as follows:

The purpose of Bill 61 (2013) is to amend the provisions of the Land Use Ordinance (LUO), Revised Ordinances of Honolulu (ROH) Chapter 21, relating to signs. Specifically, the Bill would allow private schools and universities to display signage for special events, similar to special event signs that public schools are allowed to display under a zoning waiver issued to the State Department of Accounting and General Services (DAGS) in 1991.

This LUO amendment proposal was initiated by the Council through adoption of Resolution 12-178.

Your Committee finds that the Planning Commission, after a public hearing held on September 4, 2013 at which no testimony was received on the proposed LUO amendment, voted to recommend denial of the proposal in concurrence with the recommendation of the Department of Planning and Permitting (DPP) in the Attachment to Departmental Communication No. 650 (2013).

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**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON NOV 13 2013

COMMITTEE REPORT NO. 356

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Your Committee also notes that the Planning Commission, at its meeting of September 4, 2013 recommended that the Council consider, for the purpose of signs, the LUO definition of private schools, universities, and colleges.

The Deputy Director of Planning and Permitting testified that the DPP has concerns about the Bill because they have been advised by Corporation Counsel that the Bill raises constitutional issues relating to equal protection and may not survive legal challenges. The Deputy Director also testified that private schools, colleges and universities may be permitted greater flexibility to use temporary signs through the Conditional Use Permit (CUP) and Plan Review Use (PRU) processes.

Councilmember Kobayashi asked a DPP representative whether it would be possible to issue a blanket CUP or PRU approval for private schools, colleges, and universities, similar to the waiver issued to public schools. A DPP representative stated that each school would need to apply for expanded entitlements through the CUP or PRU process, whichever is applicable, and the DPP would review applications on a case-by-case basis, although schools under common ownership might qualify for consideration under a combined application.

Your Committee received no public testimony on the Bill.

Your Committee believes that it may be advantageous to establish a uniform policy for use of temporary signs that would apply to all schools and that additional public testimony at the public hearing recommended herein to be scheduled on this bill will provide further assistance to your Committee and to the Council in their deliberations on this bill.

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Your Committee on Zoning and Planning recommends that Bill 61 (2013) pass Second Reading, be scheduled for public hearing, and be referred back to Committee. (Ayes: Anderson, Harimoto, Kobayashi, Menor, Pine – 5; Noes: None.)

Respectfully submitted,



Committee Chair

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